IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 20TH OCTOBER 2006 / 28TH ASWINA 1928

Bail Appl..No. 6285 of 2006

CC.86/2002 of J.M.F.C.-III,TRIVANDRUM
CRIME NO.64/2001 OF THAMPANOOR POLICE STATION

PETITIONER/ACCUSED 3

AYYAPPAN @ RAJESH, S/O. MURALI,
KUNNUMPURATHU VEEDU, 4/636,
PAPPANAMCODE, ANAD MURI, PERINGAMMALA.

BY ADV. SRI.A.RAJASIMHAN

RESPONDENTS: COMPLAINANT

SUB INSPECTOR OF POLICE,
THAMPANOOR POLICE STATION, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6285/2006

DATED THIS THE 20TH DAY OF OCTOBER, 2006

O R D E R

The petitioner is the third accused, in crime No.64/2001 of Thampanoor Police Station, for the offence punishable under Section 379 IPC read with Section 34 IPC. Hence this application, under Section 438 Cr.P.C.

2. The prosecution submits that the petitioner was absconding, during the investigation. The other accused were arrested and interrogated. The investigation is complete and final report had already been filed. The learned counsel for the petitioner submits that the petitioner was working abroad.

3. In such circumstances, I direct the petitioner to surrender before the Judicial Magistrate of First Class-III, Thiruvananthapuram, where the case is pending as C.C.No.86/2002, on 4.11.2006 between 9.30 a.m and 10.00 a.m.

4. The learned Magistrate shall hear both sides

and pass appropriate orders, on the date of surrender itself.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs